



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION • LOS ANGELES, CALIFORNIA 90012
(213) 974-1101
<http://cao.lacounty.gov>

DAVID E. JANSSEN
Chief Administrative Officer

May 15, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**NOTICE OF INTENTION TO PURCHASE REAL PROPERTY
UNINCORPORATED LOS ANGELES COUNTY, LA SIERRA CANYON AREA
OF THE SANTA MONICA MOUNTAINS, C.P. 77419
(THIRD DISTRICT) (4 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the acquisition of the above referenced property is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Approve the enclosed Notice of Intention to purchase 29.65 acres of unimproved real property located in the unincorporated La Sierra Canyon area of the Santa Monica Mountains for a purchase price of \$710,680.
3. Approve the attached appropriation adjustment to increase appropriation and revenue in C.P. 77419 in the Capital Projects/Refurbishment Budget in the amount of \$711,000 to provide sufficient funding for the purchase of the subject property.
4. Instruct the Executive Officer of the Board of Supervisors to carry out the necessary legal advertising pursuant to Government Code Sections 25350 and 6063.

IT IS FURTHER RECOMMENDED THAT, AT THE TIME OF CONSUMMATION, YOUR BOARD:

1. Order the purchase consummated in accordance with Section 25350 of the Government Code.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

2. Authorize the Chief Administrative Office (CAO) to execute any required documentation necessary to complete the transfer of title to the County of Los Angeles (County) and to accept the deed conveying title.
3. Authorize the Department of Parks and Recreation and the Auditor-Controller to deposit funds into an escrow account with First American Title Company to provide for the purchase price of \$710,680 and to reimburse the Mountains Restoration Trust (MRT) for its acquisition costs in the amount of \$37,987.
4. Approve and instruct the Chairman of the Board to sign the attached Amendment No. 2 to Agreement No. 74878 with the MRT to include this property under this property management agreement.
5. Request the Assessor to remove the subject real property from the tax roll effective upon the transfer of title.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to accomplish a transfer of title to 29.65 acres of unimproved real property (Assessor parcel 2058-010-008), located in the unincorporated La Sierra Canyon area of the Santa Monica Mountains, from MRT to the County. The subject property is the third of three contiguous parcels to be acquired for the preservation of open space and natural habitat in the La Sierra Canyon area of the Santa Monica Mountains. The purchase of the two other adjacent parcels, containing 31.3 acres, was consummated by your Board on April 17, 2007, with title transferring to the County on April 27, 2007. Funding for this acquisition is provided from a combination of \$427,680 in grant funding for wildlife habitat preservation from United States Department of the Interior and subgranted, through the State Wildlife Conservation Board (WCB), to the County and \$283,000 of the Third District capital project funding allocated for real property acquisitions in the Santa Monica Mountains.

MRT has agreed to partner with the County to negotiate and pre-acquire the subject property for \$832,960 from the private owner, the Polk Brothers Foundation, Inc. MRT, in turn, will convey title to the County for a purchase price of \$710,680, thereby contributing \$122,280 for the acquisition of this property for public benefit.

Since the County does not have the personnel or funding necessary to manage this property, an existing 55-year property management agreement with MRT, Agreement No. 74878, approved by your Board on May 25, 2004, providing property management and maintenance for 28.11 acres of nearby County-owned open space, will be amended to include this property.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed recommendations further the Board-approved County Strategic Plan Goal 1 (Service Excellence) and Goal 6 (Community Service) by enabling the preservation of open space and sensitive plant and wildlife habitat, and by expanding passive recreational opportunities in Los Angeles County. Your Board's approval of these recommendations will also further Goal 4 (Fiscal Responsibility) through public/private partnership involving the State and its WCB grant program, MRT, and the County to accomplish the acquisition of this property and to provide for long-term property management at no County cost.

FISCAL IMPACT/FINANCING

The \$710,680 purchase price for the subject property will be paid to MRT from a combination of State WCB subgrant funding (\$427,680) accepted and approved by your Board on May 1, 2007, and the Third District net County cost allocated for Enhanced Unincorporated Area Services transferred from C.P. 77492 – Santa Mountains Land Acquisitions (\$283,000). The attached appropriation adjustment will increase funding under C.P. 77419 in the amount of \$711,000 for the purchase of the subject property supplementing an unexpended balance of \$37,987 in this appropriation remaining after acquiring title to the two adjacent properties. MRT will pay all escrow, title insurance, and related costs.

The remaining unexpended balance of \$37,987 in CP 77419, will be used to reimburse MRT for acquisition costs it has incurred for all three parcels in La Sierra Canyon including advances paid to the original owner, the Polk Brothers Foundation. This acquisition will not result in any one-time or ongoing operating and maintenance costs. As provided in the attached Management Agreement, MRT will assume all property management responsibility at its sole cost.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The subject property, as shown on the attached map, contains 29.65 acres and is located west of Mulholland Highway and south of Seminole Drive adjacent to two unimproved parcels recently acquired for open space and natural habitat preservation, totaling 31.3 acres. The property is currently zoned RR1, Rural Residential, within the Santa Monica Mountains North Area Plan and is designated a Significant Ecological Area.

The \$710,680 purchase price is substantially below the \$1,485,000 fair market value of the subject property as established by outside appraisal and will constitute donated value which, in combination with the Third District capital project funding, will satisfy the Federal grant requirements that 71.2 percent of the purchase price be from non-Federal sources.

The Honorable Board of Supervisors
May 15, 2007
Page 4

The Department of Parks and Recreation has reviewed and concurs with the recommended actions. The CAO, pursuant to Government Code Section 65402, has provided notification to the Regional Planning Department of the County's intent to purchase the subject property. The Department of Public Works has reviewed and approved the preliminary title report issued by First American Title Company, who will insure title, and it has reviewed a Phase I environmental site assessment of the property and concurs with the consultant's conclusions that no further investigations of surface and subsurface conditions are warranted. County Counsel has reviewed and approved as to form the attached Amendment to Agreement No. 74878.

ENVIRONMENTAL DOCUMENTATION

This acquisition is categorically exempt from CEQA pursuant to Sections 15316 (a) and 15325 (a) of the State CEQA Guidelines and Classes 16 and 25 of the County's Environmental Document Reporting Procedures and Guidelines.

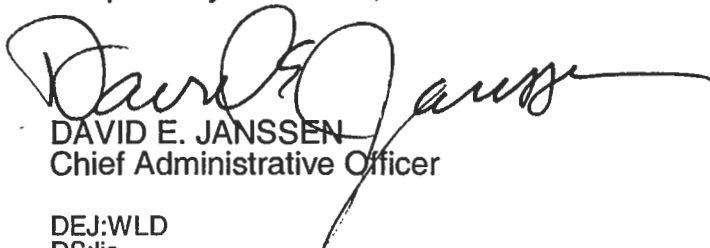
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will serve to increase passive recreational opportunities for the public and will have no impact on any other current County services or projects.

CONCLUSION

It is requested that the Executive Officer of the Board of Supervisors return duplicate conformed copies of the adopted Board letter, two certified copies of the Minute Order, and two original signature copies of the attached Agreement to the Chief Administrative Office for further processing.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:WLD
DS:lis

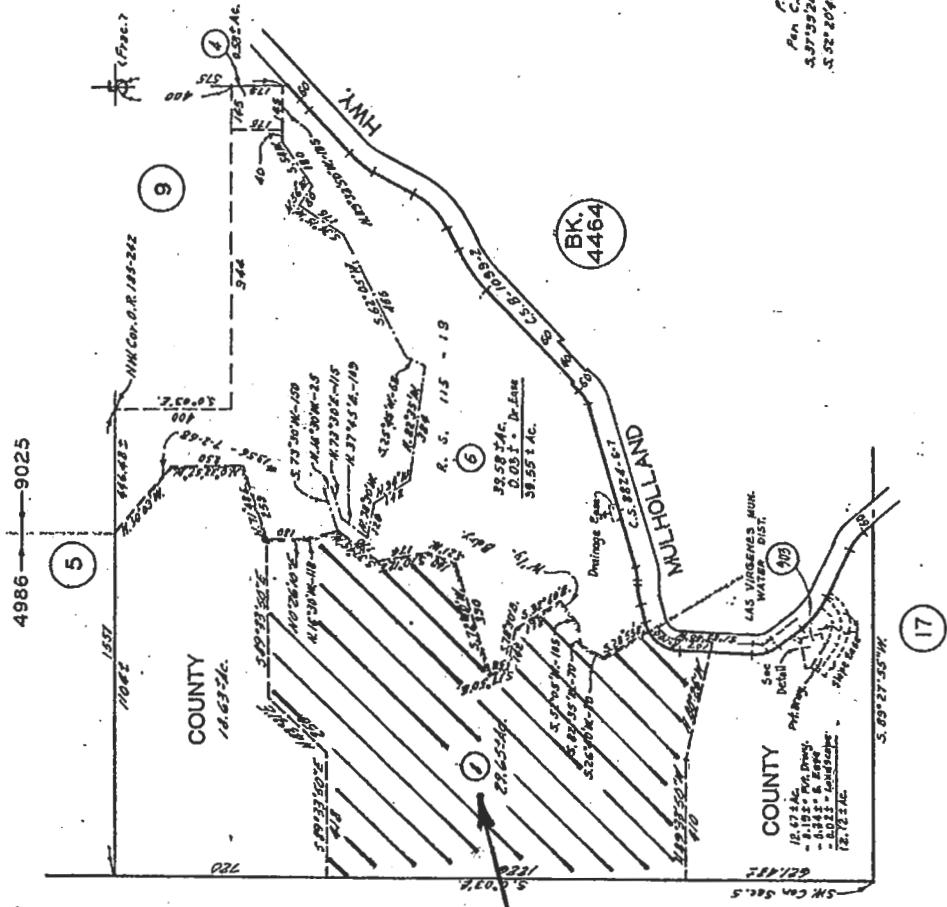
Attachments (4)

c: County Counsel
Department of Parks and Recreation
Assessor
Auditor-Controller

2058 10
SCALE 1" = 400'

2007

70070330E
700828
94452902009001-02
95051807001008-02
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2004123105-02

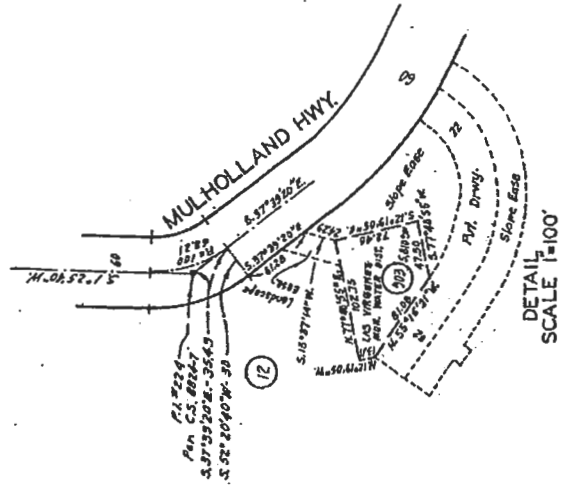


REAL PROPERTY
TO BE ACQUIRED

CODE
4986
9025

FOR PREV. ASSMT SEE:
2058-10

T.1S., R.18W.



NOV 21 2006

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

NOTICE OF INTENTION
TO PURCHASE REAL PROPERTY

NOTICE IS HEREBY GIVEN that it is the intention of the Board of Supervisors of the County of Los Angeles, State of California to purchase 29.65 acres of unimproved land in the unincorporated La Sierra Canyon area of the Santa Monica Mountains in the County of Los Angeles, State of California as legally described on the attached Exhibit "A" for the sum of SEVEN HUNDRED TEN THOUSAND SIX HUNDRED AND EIGHTY DOLLARS (\$710,680) from the fee simple owner, the Mountains Restoration Trust, a California nonprofit public benefit corporation.

NOTICE IS HEREBY GIVEN that the purchase of real property will be consummated by the Board of Supervisors of the County of Los Angeles, State of California, on the _____ day of _____, 2007, at 9:30 a.m. in the Hearing Room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. No obligation will arise against the County and in favor of the Seller with respect to the purchase of the property described herein until the Board of Supervisors approves the purchase on the named consummation date.

Instructions to the Executive Officer of the Board of Supervisors to carry out the necessary legal advertising pursuant to Government Code Section 25350 was authorized on the _____ day of _____, 2007, by the Board of Supervisors of the County of Los Angeles, State of California

SACHI A. HAMAI, Executive Officer
Clerk of the Board of Supervisors

By _____
Deputy

EXHIBIT "A"

LEGAL DESCRIPTION

Real property in the County of Los Angeles, State of California, being that portion of the Southwest Quarter of Section 5, Township 1 South, Range 18 West, San Bernardino Meridian, County of Los Angeles, State of California, according to the Official Plat of said land filed in the District Land Office of April 4, 1900 described as follows:

Beginning at a point on the East line of said Southwest Quarter, distant thereon South 0 degrees 32'37" East 575.00 feet from the Northeast corner of said Southwest Quarter; thereon North 89 degrees 33'50" West 185.00 feet; thence South 54 degrees 00'00" West 180.00 feet; thence North 56 degrees 00'00" West 80.00 feet; thence South 34 degrees 15'00" West 176.00 feet; thence South 62 degrees 05'00" West 466.00 feet; thence South 25 degrees 45'00" West 68.00 feet; thence 82 degrees 35'00" West 384.00 feet; thence North 34 degrees 00'00" West 142 feet; thence North 78 degrees 30'00" West 120.00 feet; thence North 37 degrees 45'00" East 109.00 feet; thence North 73 degrees 30'00" East 115.00 feet; thence North 16 degrees 30'00" West 25 feet; thence South 73 degrees 30'00" West 150.00 feet; thence North 16 degrees 30'00" West 118.00 feet; thence North 0 degrees 26'10" West 130.00 feet to the true point of beginning of this description; thence South 0 degrees 26'10" West 130.00 feet; thence South 16 degrees 30'00" East 118.00 feet; thence South 37 degrees 45'00" West 170.00 feet; thence South 10 degrees 12'00" East 174.00 feet; thence South 21 degrees 00'00" West 100.00 feet; thence South 72 degrees 10'00" West 390.00 feet; thence South 17 degrees 50'00" East 58.00 feet; thence South 78 degrees 30'00" East 142.00 feet; thence South 32 degrees 40'00" East 178.00 feet; thence South 52 degrees 05'00" West 105.00 feet; thence South 82 degrees 35'00" West 70.00 feet; thence South 26 degrees 40'00" West 80.00 feet; thence South 28 degrees 55'00" East to a point on the center line of Cornell Road as conveyed to the County of Los Angeles by the deed recorded in Book 4504, Page 29 Official Records, in the Office of the County Recorder of said County; thence along said center line being that certain curve shown on County Surveyors Map No. 8824, Sheet 7 of 15 as having a radius of 100 feet and a central angle of 72 degrees 36'30" Southwesterly to the Southwesterly terminus of said curve; thence continuing Southerly along said center line and tangent to said curve a distance of 107.00 feet; thence leaving said center line North 80 degrees 25'00" West to a point which bears South 89 degrees 33'50" East 410.00 feet from a point on the West line of said Southwest Quarter which is 1,946.00 feet Southerly thereon from the then Northwest corner of said Southwest Quarter; thence North 89 degrees 33'50" West 410.00 feet to said point on the West line of said Southwest Quarter; thence Northerly along said West line 1,226.00 feet to a point distant 720.00 feet Southerly from the Northwest corner of said Southwest Quarter; thence South 89 degrees 33'50" East 418.00 feet; thence North 43 degrees 31'00" East 250.00 feet; thence South 89 degrees 33'50" East to the true point of beginning. Except therefrom all petroleum, oil rights, as reserved by Seminole Hot Springs, Inc., a corporation, et al., in Deed recorded October 1, 1948 in Book 28402, Page 117 of Official Records.

APN 2058-010-008

Recording Requested by
and When Recorded Mail to:

County of Los Angeles
Executive Officer, Board of Supervisors
500 West Temple Street, Room 383
Los Angeles CA 90012

This Document is Exempt from Recording Fees
Government Code Sections 6103 and 27383

**AMENDMENT NO. 2 TO AGREEMENT NO. 74878
MANAGEMENT AGREEMENT AND COVENANT
RUNNING WITH THE LAND**

This Amendment to Management Agreement and Covenant is made and entered into this _____ day of _____, 2007, by and between the County of Los Angeles ("County") and Mountains Restoration Trust, a California public benefit nonprofit corporation ("MRT").

PREMISES:

A. County is or is about to become the owner of certain real property in the County of Los Angeles, State of California, more fully described on Exhibit A-1, the "Added Property"), having acquired the Added Property by means of a grant from the State of California Wildlife Conservation Board. The Added Property consists of 29.65 acres, more or less, of undeveloped land in its natural state, and the County is charged with the duty of managing the Added Property and maintaining it in that natural state.

B. County does not have the personnel or funds necessary to provide management for the Added Property.

C. MRT has the ability, and is willing, to provide management for the Added Property, and County desires assurances that the Added Property will be managed and operated in a manner which will not result in injury to its resource value as a natural open space.

D. On May 25, 2004 County and MRT entered into a certain Management Agreement and Covenant Running With The Land with respect certain properties adjacent to the Added Property (the "Original Agreement") setting forth assurances of the type desired by the County. Said Original Agreement was recorded as Document No. 2004-1890680, Official Records of Los Angeles County, California and is identified as County of Los Angeles Agreement No. 74878.

E. The parties desire to amend the Original Agreement to extend the rights, duties and obligations of the parties contained therein to the Added Property.

NOW THEREFORE, it is agreed as follows:

1. **ADDITION OF ADDED PROPERTY.** The Original Agreement, as amended, is hereby modified to include in the description of the real property for which MRT is named as sole and exclusive manager, defined as the "Property" in the Original Agreement, the Added Property, as described in Exhibit A-1 attached hereto.

2. **INCORPORATION OF OTHER PROVISIONS.** All the rights, duties, obligations, liabilities, terms, conditions and provisions set forth in the Original Agreement, as amended, shall henceforth be equally applicable to the Added Property.

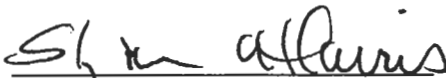
3. **NO OTHER CHANGES.** Except as expressly set forth herein, the Original Agreement, as amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment by their authorized officials as of the day and year first above written.

COUNTY OF LOS ANGELES

MOUNTAINS RESTORATION TRUST
a California public benefit,
nonprofit corporation

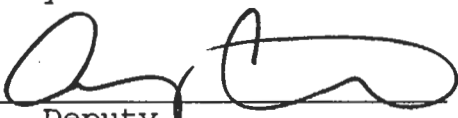
By _____
Chair of the Board
of Supervisors

By 
Stephen A. Harris
President

ATTEST:
SACHI A. HAMAI
Executive Officer-Clerk of
the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES) ss.

On April 12, 2007, before
me, Debra Anne Bruschaber, Notary Public, personally appeared

Stephen A. Harris

personally known to me ~~(or proved to me on the basis of~~
~~satisfactory evidence)~~ to be the person ~~(s)~~ whose name ~~(s)~~
~~is/are~~ subscribed to the within instrument and acknowledged
to me that ~~he~~/she/they executed the same in ~~his~~/her/their
authorized capacity ~~(ies)~~, and that by ~~his~~/her/their
signature ~~(s)~~ on the instrument, the person ~~(s)~~, or the entity
upon behalf of which the person ~~(s)~~ acted, executed the
instrument.

WITNESS my hand and official seal.

[Seal]

Signature

Debra Anne Bruschaber

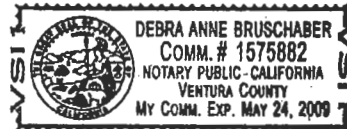


EXHIBIT A-1

LEGAL DESCRIPTION

That portion of the Southwest Quarter of Section 5, Township 1 South, Range 18 West, San Bernardino Meridian, County of Los Angeles, State of California, according to the Official Plat of said land filed in the district land office on April 4, 1900 described as follows:

Beginning at a point on the East line of said Southwest Quarter, distant thereon South 0 degrees 32'57" East 575.00 feet from the Northeast corner of said Southwest Quarter; thence North 89 degrees 33'50" West 185.00 feet; thence South 54 degrees 00'00" West 180.00 feet; thence North 56 degrees 00'00" West 80.00 feet; thence South 34 degrees 15'00" West 176.00 feet; thence South 62 degrees 05'00" West 466.00 feet; thence South 25 degrees 45'00" West 68.00 feet; thence North 82 degrees 35'00" West 384.0 feet; thence North 34 degrees 00'00" West 142.00 feet; thence North 78 degrees 30'00" West 120.00 feet; thence North 37 degrees 45'00" East 109.00 feet; thence North 73 degrees 30'00" East 115.00 feet; thence North 16 degrees 30'00" West 25.00 feet; thence South 73 degrees 30'00" West 150.00 feet; thence North 16 degrees 30'00" West 118.00 feet; thence North 0 degrees 26'10" West 130.00 feet to the true point of beginning of this description; thence South 0 degrees 26'10" West 130.00 feet; thence South 16 degrees 30'00" East 118.00 feet; thence South 37 degrees 45'00" West 170.00 feet; thence South 10 degrees 12'00" East 174.00 feet; thence South 21 degrees 00'00" West 100.00 feet; thence South 72 degrees 10'00" West 390.00 feet; thence South 17 degrees 50'00" East 58.00 feet; thence South 78 degrees 30'00" East 142.00 feet; thence South 32 degrees 40'00" East 178.00 feet; thence South 52 degrees 05'00" West 105.00 feet; thence South 82 degrees 35'00" West 70.00 feet; thence South 26 degrees 40'00" West 80.00 feet; thence South 28 degrees 55'00" East to a point on the center line of Cornell Road as conveyed to the County of Los Angeles by the deed recorded in Book 4504, Page 29 Official Records, In the Office of the County recorder of said County; thence along said center line being that certain curve shown on County Surveyors Map No. 8824, Sheet 7 of 15 as having a radius of 100 feet and a central angle of 72 degrees 36'30" Southwesterly to the Southwesterly terminus of said curve; thence continuing Southerly along said center line and tangent to said curve a distance of 107.00 feet; thence leaving said center line North 80 degrees 25'00" West to a point which bears South 89 degrees 33'50" East 410.00 feet from a point on the West line of said Southwest Quarter which is 1946.00 feet Southerly thereon from the then Northwest corner of said Southwest Quarter; thence North 89 degrees 33'50" West 410.00 feet to said point on the West line of said Southwest Quarter; thence Northerly along said West line 1226.00 feet to a point distant 720.00 feet Southerly from the Northwest corner of said Southwest Quarter; thence South 89 degrees 33'50" East 418.00 feet; thence North 43 degrees 31'00" East 250.00 feet; thence South 89 degrees 33'50" East to the true point of beginning.

Except therefrom all petroleum, oil rights, as reserved by Seminole Hot Springs, Inc., a corporation, et al., in Deed recorder October 01, 1948 in Book 28402, Page 117 Official Records.

APN 2058-010-008

PINK

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BOARD OF
SUPERVISORS
OFFICIAL COPY

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPT'S.
NO.

060

DEPARTMENT OF CHIEF ADMINISTRATIVE OFFICE

MAY 1,

2007

AUDITOR-CONTROLLER.

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. WILL YOU PLEASE REPORT AS TO ACCOUNTING AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF ADMINISTRATIVE OFFICER FOR HIS RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFOR

FY 2006-07


4 - VOTES

SOURCESUSES

SEE ATTACHED

JUSTIFICATION

Adjustment is necessary to increase the revenue and appropriation in order to provide sufficient funding for the purchase of a land parcel in the La Sierra Canyon area of unincorporated Los Angeles County.

✓ 
Jan Takata, Division Chief

CHIEF ADMINISTRATIVE OFFICER'S REPORT

REFERRED TO THE CHIEF
ADMINISTRATIVE OFFICER FOR -

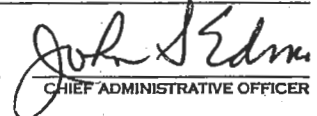
ACTION

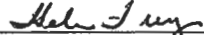
APPROVED AS REQUESTED ✓

AS REVISED

✓
RECOMMENDATION

May 2 2007


CHIEF ADMINISTRATIVE OFFICER

AUDITOR-CONTROLLER BY APPROVED (AS REVISED):
BOARD OF SUPERVISORS

20

NO.

237

MAY 2 2007

BY

DEPUTY COUNTY CLERK

SEND 6 COPIES TO THE AUDITOR-CONTROLLER